IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

-

WRIT PETITION NO : 19494 of 2004

Between:

A.Ramesh Babu, S/o Late Ranga Rao,
Aged 49 years, Occupation: Divisional Manager,

Nandyal Division, A.P.Forest Development Corporation Ltd.,

Sanjeevanagar, Nandyal, Kurnool District

..... PETITIONER

AND

1. The Andhra Pradesh Forest Development Corporation Ltd.

represented by its Vice Chairman and Managing Director,
3rd Floor, UNI Buildings, A.C.Guards, Hyderabad
2. The Vice Chairman and Managing Director, A.P.Forest Development

Corporation Ltd.,
3rd Floor, UNI Buildings, A.C.Guards, Hyderabad
3. M.Rama Prasad, Regional Manager,
A.P.Forest Development Corporation Ltd. 3rd Floor, UNI Buildings,

A.C.Guards,
Hyderabad
4. S.Venkata Reddy, Accounts Officer
A.P.Forest Development Corporation Ltd. 3rd Floor, UNI Buildings,

A.C.Guards,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to for the reasons stated in the accompanying affidavit, it is just and necessary that this Hon'ble Court may be pleased to call for the records relating Office Order No.300/2004, vide ref.PD/6329/99/ARB dated 14-10-2004, (signed by the 2nd respondent on 18-10-2004) of the 2nd respondent and quash the same, by issuing a Writ in the nature of certiorari or any other appropriate writ or order or direction.

Counsel for the Petitioner: SMT.M.S.TIRUMALA RANI

Counsel for the Respondents 1 TO 4: MR.P.SREE RAMULU NAIDU, STANDING COUNSEL FOR APFDC LTD.

The Court made the following:

O R D E R:

The writ petition is directed against the order of the second respondent reverting the petitioner from the post of Divisional Manager to that of Assistant Estate Manager, as a major punishment after the conclusion of disciplinary proceedings. Admittedly, an appeal is available against the said order of reversion before the appellate authority.

The learned counsel for the respondents asserts that a properly constituted Board is available and the petitioner, instead of availing the alternative remedy, approached this Court by filing the writ petition seeking a writ of certiorari, which is not proper. Once an effective alternative remedy of appeal is available, the question of entertaining the writ petition does not arise. Therefore, the writ petition may be dismissed as not maintainable leaving it open to the petitioner to approach the appellate authority and work out his remedies as available under the law. I am in full agreement with the said submission. The writ petition is dismissed since effective alternative remedy is available to the petitioner.

However, during the pendency of the writ petition, there was an interim order of suspension in WPMP No.25529 of 2004, dated 19-10-2004. The same shall continue till the appeal is filed before the

appellate authority along with stay petition and the appellate authority is at liberty to take up the said petition and pass appropriate orders. The petitioner is directed to file appeal within a period of three weeks from today.

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02-12-2004.

CC in (3) days.

B/o

Lrkm.

To

1. The Vice Chairman and Managing Director,
Andhra Pradesh Forest Development Corporation Ltd.

3rd Floor, UNI Buildings, A.C.Guards, Hyderabad

2. M.Rama Prasad, Regional Manager,
A.P.Forest Development Corporation Ltd. 3rd Floor, UNI Buildings,

A.C.Guards,
Hyderabad
3. S.Venkata Reddy, Accounts Officer
A.P.Forest Development Corporation Ltd. 3rd Floor, UNI Buildings,

A.C.Guards,
Hyderabad.

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